

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 24, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOSHUA GLAZIER,

Plaintiff,

v.

SHERIFF UDELL and PROSECUTOR
GARY HENTZE,

Defendants.

No. 1:20-cv-03226-SMJ

ORDER DISMISSING ACTION

On December 2, 2020, Plaintiff Joshua Glazier, a pretrial detainee at the Yakima County Jail, filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. ECF No. 1. Plaintiff did not pay the filing fee or apply to proceed *in forma pauperis* under the Prison Litigation Reform Act, 28 U.S.C. § 1915. Nor did he comply with 28 U.S.C. § 1915(a)(2), which requires a prisoner seeking to bring a civil action without prepayment of the filing fee to submit a certified copy of his trust fund account statement (or institutional equivalent) for the six months immediately preceding the filing of the complaint.

By letter dated December 7, 2020, the Clerk's Office advised Plaintiff of these deficiencies. ECF No. 3. The Clerk's Office provided Plaintiff with an

1 application form to proceed *in forma pauperis* to complete and return. *Id.* Plaintiff
2 has not complied with this directive and has filed nothing further.

3 On February 1, 2021, this Court ordered Plaintiff to submit a completed
4 application to proceed *in forma pauperis* and to submit a certified copy of his six-
5 month inmate trust account statement (or institutional equivalent) for the period
6 immediately preceding December 2, 2020 within **thirty days** of the date of that
7 Order. ECF No. 4. In the alternative, Plaintiff was advised he could pay the full
8 \$402.00 filing fee. *Id.* The Court cautioned Plaintiff that his failure to do so would
9 result in the dismissal of this case. *Id.* Plaintiff neither paid the filing fee nor
10 returned the application to proceed *in forma pauperis* along with his six-month
11 inmate trust account statement (or institutional equivalent) by the due date of
12 March 2, 2021.

13 Accordingly, **IT IS HEREBY ORDERED:**

- 14 **1.** This action is **DISMISSED** without prejudice for failure to pay the
15 filing fee or comply with the *in forma pauperis* requirements of 28
16 U.S.C. §§ 1914, 1915.

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1 **2.** The Court certifies any appeal of this dismissal would not be taken in
2 good faith.

3 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order,
4 enter judgment, provide copies to *pro se* Plaintiff at his last known address, and
5 **CLOSE** the file.

6 **DATED** this 24th day of March 2021.

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 SALVADOR MENDOZA, JR.
 United States District Judge